

JOURNAL OF THE HOUSE.

Thursday, February 20, 2014.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag. Pledge of allegiance.

Silent Prayer.

At the request of Ms. Malia of Boston the members, guests and employees stood in a moment of silent tribute to the memory of Paul T. Sullivan of Jamaica Plain, who passed away suddenly on February 13th. Paul was an employee of the House Clerk's Office from 1971 to 2002, inclusive. Paul T. Sullivan.

Paul is survived by his brothers Robert, Lawrence and Bernard and his sister Patricia.

Guests of the House.

At the beginning of the session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced, seated in the House Chamber, Boy Scout Troop 34 from Hanson. They were accompanied by their troop leader and parents. At the invitation of the Chair, the Boy Scouts participated in the pledge of allegiance to the flag. They were the guests of Mr. Cutler of Duxbury. Hanson,—
Boy Scout
Troop 34.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. Jones of North Reading) congratulating the town of Lynnfield on its two hundredth anniversary; Lynnfield,—
anniversary.

Resolutions (filed by Ms. Atkins of Concord and other members of the House) recognizing March as Arts Education Month; Arts Education
Month.

Resolutions (filed by Mr. Fernandes of Milford) congratulating Ryan Joseph Fitzpatrick on receiving the Eagle Scout Award of the Boy Scouts of America; Ryan Joseph
Fitzpatrick.

Resolutions (filed by Messrs. Fernandes of Milford and Kuros of Uxbridge) congratulating Sean Michael Waclawik on earning the Eagle Scout Award; Sean Michael
Waclawik.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Gregory Campion on receiving the Eagle Award of the Boy Scouts of America; Gregory
Campion.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Robert Fallon on receiving the Eagle Award of the Boy Scouts of America; Robert
Fallon.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating John Foley on receiving the Eagle Award of the Boy Scouts of America; John
Foley.

Steven Harrington.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Steven Harrington on receiving the Eagle Award of the Boy Scouts of America;

Jackson Hickey.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Jackson Hickey on receiving the Eagle Award of the Boy Scouts of America;

Ian Martin.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Ian Martin on receiving the Eagle Award of the Boy Scouts of America;

Noel Moscaritolo.

Resolutions (filed by Mr. McMurtry of Dedham) congratulating Noel Moscaritolo on receiving the Eagle Award of the Boy Scouts of America; and

Sarah White.

Resolutions (filed by Mrs. O’Connell of Taunton) congratulating Sarah White on the occasion of her one hundredth birthday;

Mr. Binienda of Worcester, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Cutler of Duxbury, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual Report.

Drug forfeiture funds.

The annual report of the Massachusetts District Attorneys Association (under item 0340-2100 contained in Section 2 of chapter 38 of the Acts of 2013) submitting a report detailing all district attorneys’ offices. use of drug forfeiture funds collected pursuant to Chapter 94C of the General Laws, was placed on file.

Petition.

Contractors,—identification.

Petitions severally were presented and referred as follows:

By Mr. Bradley of Hingham (by request), a petition (subject to Joint Rule 12) of Kathleen Dercole for legislation to require identification badges for home improvement contractors.

Seniors,—immunizations.

By Mr. Cusack of Braintree, a petition (subject to Joint Rule 12) of Mark J. Cusack relative to immunizations against the influenza virus to all inpatients 65 years of age and older.

New taxes,—waiting period.

By Mrs. O’Connell of Taunton, a petition (subject to Joint Rule 12) of Shaunna O’Connell and others for legislation to establish a one year waiting period prior to implementing new taxes.

Regulations,—implementation.

By the same member, a petition (subject to Joint Rule 12) of Shaunna O’Connell and others relative to the implementation of regulations.

Small businesses,—regulations.

By the same member, a petition (subject to Joint Rule 12) of Shaunna O’Connell and others that the rules and regulations regarding the economic impact on small businesses be reviewed once every 5 years.

Generating facilities.

By the same member, a petition (subject to Joint Rule 12) of Shaunna O’Connell and others relative to environmental impacts of generating facilities.

Severally referred, under Rule 24, to the committee on Rules.

Paper from the Senate.

Stow,—land.

The House Bill relative to a conservation restriction in the town of Stow (House, No. 3474), came from the Senate passed to be engrossed, in concurrence, with an amendment adding the following section:

“SECTION 3. As consideration for the change in the conservation restriction authorized in section 1, the town of Stow shall, pursuant to section 3 of chapter 40 of the General Laws, transfer the care, custody and control of a certain .74-acre parcel of land from the board of selectmen to the conservation commission for conservation purposes. The parcel, shown on Stow assessors map U-10 as parcel 40, was acquired by the town for nonpayment of taxes by an instrument of taking which was recorded in the Middlesex south district registry of deeds in book 18165, page 384 and the final judgment thereon recorded in book 24015, page 051.”

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Claire D. Cronin relative to the penalty for illegal sales of controlled substances in the vicinity of premises providing services for substance addiction. To the committee on the Judiciary. Controlled substances,—
illegal sales.

Petition (accompanied by bill) of Paul R. Heroux and others for legislation to extend the processing time for the issuance of firearm identification cards and licenses to carry firearms. To the committee on Public Safety and Homeland Security. Firearms,—
I.D. cards.

Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill authorizing the town of Westport to lease a certain parcel of land (Senate, No. 1961) [Local Approval Received]; and Westport,—
land.

The House Bill authorizing the town of Acton to transfer certain forest land to general municipal purposes (House, No. 3776) [Local Approval Received]; Acton,—
land.

Under suspension of Rule 7A, in each instance, on motion of the same member, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Ms. Malia of Boston, for the committee on Mental Health and Substance Abuse, on a petition, a Bill to provide addiction/sobriety solutions through increased substance treatment (ASSIST) (House, No. 3825). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently. Addiction treatment,—
study.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill reducing prescription drug abuse (House, No. 2126). Prescription drugs,—
regulate.

By the same member, for the same committee, on a petition, a Bill relative to protecting domestic violence victims from repeat offenders (House, No. 3242). Domestic violence.

Bank robberies.

By the same member, for the same committee, on a petition, a Bill relative to bank robberies and collection of fraudulent checks (House, No. 3246).

Defense policies.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill granting, updating, and revising defense policies of the Commonwealth (printed in House, No. 3868).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

Commercial vehicles,—insurance.

By Mr. Costello of Newburyport, for the committee on Financial Services, on a petition, a Bill relative to requiring insurance for taxicabs and commercial vehicles (House, No. 854).

Fire insurance applications.

By the same member, for the same committee, on a petition, a Bill relative to the anti-arson application for dwelling policies (House, No. 886).

Seniors,—transportation options.

By the same member, for the same committee, on a petition, a Bill relative to encouraging volunteerism for non-profit organizations providing transportation options for seniors (House, No. 949).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

Richard Maynard,—sick leave.

The engrossed Bill establishing a sick leave bank for Richard Maynard, an employee of the Trial Court (see Senate, No. 2000), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bill enacted.

The engrossed Bill authorizing the city of Salem to convert 1 seasonal license to an annual license for the sale of wines and malt beverages to be drunk on the premises (see House, No. 3831, changed) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third reading bill.

The House Bill relative to time share resale and transfer service providers (House, No. 3613), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Marion,—authority.

The House Bill relative to the grant of authority to the town of Marion (House, No. 3605), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Straus of Mattapoisett moved to amend it by striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Notwithstanding any general or special law to the contrary, including so much of section 42A of chapter 40 of the General Laws as requires acceptance by a vote and filing of a certificate with the registry of deeds, the town of Marion, acting through its water and sewer commissioners, may exercise all powers necessary for the collection of water bills provided in sections 42A to 42F, inclusive, of said chapter 40, including the imposition of a lien, upon real property in the towns of Rochester and Wareham to which the town of Marion currently provides, or may provide in the future, public water for consumption and otherwise.”

The amendment was adopted; and the bill (House, No. 3605, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the establishment of the Mashpee water and sewer district (House, No. 3767), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Mashpee water and sewer district.

Pending the question on passing the bill to be engrossed, Mr. Vieira of Falmouth moved to amend it in section 2, in lines 321 to 328, inclusive, by striking out the following: “and Sewer Commissioners shall cause to appear on the ballot the following Special Question:

‘SHALL THE VOTERS APPROVE AN AMENDMENT TO CHAPTER 136 OF THE ACTS OF 1987 (THE LAW THAT CREATED THE MASHPEE WATER DISTRICT) WHICH WILL PERMIT THE MASHPEE WATER DISTRICT TO ENGAGE IN WASTEWATER OPERATIONS AS WELL AS WATERWORKS OPERATIONS AND WHICH WILL PERMIT THE MASHPEE WATER DISTRICT TO TAKE OVER AND OPERATE HEREAFTER THE TOWN OF MASHPEE’S WASTEWATER AND SEWER FUNCTIONS’[sic].” and inserting in place thereof the following:— commissioners of the Mashpee water district shall cause to appear on the ballot the following:

SHALL THE VOTERS APPROVE AN ACT ENTITLED “AN ACT AUTHORIZING THE ESTABLISHMENT OF THE MASHPEE WATER AND SEWER DISTRICT?”

Below the ballot question shall appear a fair and concise summary of the ballot question approved by the board of water commissioners of the Mashpee water district.”, in line 329, by inserting before the word “District” the words “Mashpee water”, and, in line 336, by inserting before the word “District” (both times it appears) the words “Mashpee water and sewer”.

The amendments were adopted; and the bill (House, No. 3767, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.

Next sitting.

At fourteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.